

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No. 1786 OF 2006

-

7th February, 2006.

Between:

P. Thamamanikutty

...Petitioner

A N D

The Station House Officer, II Town Police Station, Ananthapur & another. ...
Respondents

ORAL ORDER:

(Per T. Meena Kumari,J)

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1. This is a taken up case basing on a “Telegram” dated: 25.01.2006 sent by the petitioner-P. Thamamanikutty, to The Honourable The Chief Justice, this writ petition has been numbered.

2. The Petitioner has approached this Court to issue a Writ of Habeas Corpus directing the respondents herein to produce her husband viz. V. Nagamalleswar, who was illegally detained by the Station House Officer, II Town Police Station, Ananthapur on 25.01.2006 before the Court apprehending danger to his life and set

him at liberty forthwith.

3. Heard the learned Advocate General.

4. Respondent No.1 filed a counter along with the statements of the petitioner and the detenu being recorded by the Addl. Judicial First Class Magistrate, Anantapur. In the counter affidavit filed by the 1st respondent, it is stated that on receipt of a notice from the Office of the Advocate General, he caused enquiry about the petitioner and the alleged detenu and on enquiry, it was revealed that the petitioner is working as Health Supervisor in Primary Health Centre, Bokkarayasamudram, Ananthapur District and the alleged detenu is a retired employee and they are freely moving at their place of residence. Immediately, the 1st respondent got recorded the statements of the petitioner and the detenu before the learned Addl. Judicial Magistrate of First Class, Ananthapur on 5.2.2006 to the effect that the petitioner was not detained by any police and the petitioner and the detenu are moving freely at their place of residence.

5. In view of the statement made by the 1st respondent in the counter and in view of the statements of the petitioner and detenu being recorded by the learned Addl. Judicial Magistrate of First Class, Ananthapur on 5.2.2006, we do not find any merits in the writ petition and accordingly the Writ Petition is dismissed.

T. MEENA KUMARI , J

K.C. BHANU, J

7th February, 2006.

CHV